

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECH CENTER 1600/2900

In re application of

Heinz Peter Vollmers et al.

Group: 1642

Serial No. 09/469,606

Examiner: A. Holleran

Filed: December 22, 1999

For: SUBSTANCE FOR OBTAINING HIGHLY EFFECTIVE TUMOR MEDICATIONS
AS WELL AS A PROCESS

Declaration Under 37 CFR § 1.132

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

1. The undersigned generated the human adenocarcinoma cell line 23132, and as an inventor of the above-referenced application, has the authority to make this declaration
2. The human adenocarcinoma cell line 23132 has been deposited in the German Collection of Microorganisms and Cell Cultures GmbH, Braunschweig (Brunswick), a depository affording permanence of the deposit and ready accessibility thereto by the public if a patent is granted.
3. The deposited material has been accorded the specific accession number, DSM ACC 201.
4. All restrictions on the availability to the public of the material will be irrevocably removed upon the granting of a patent.

5. The material has been deposited under conditions that ensure that access to the material will be available during the pendency of the patent application to one determined by the Commissioner to be entitled thereto under 35 CFR 1.14 and 35 USC 122.

6. The deposited material will be stored with all care necessary to keep it viable and uncontaminated for a period of at least five years after the most recent request for the furnishing of a sample of the deposited biological material, and in any case at least thirty (30) years after the date of a deposit or for the enforceable life of the patent, whichever is longer.

7. I acknowledge the duty to replace the deposit should the depository be unable to furnish a sample when requested due to the condition of the deposit.

8. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like are punishable to fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the instant patent application or any patent issuing thereon.

23.01.02
Date

Heinz Peter Vollmers
Heinz Peter Vollmers

Declaration re 23132 deposit.wpd